

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

TUESDAY, THE TWENTY SEVENTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B. SUDERSHAN REDDY

and

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT APPEAL NO : 1096 of 2004

(Writ Appeal under Clause 15 of the Letters Patent against the Order
dated 3.2.2004 in W.P.No.18086 of 1997 on the file of the High
Court.)

Between:

Nikhat Hassan, W/o. Idris Hassan,
R/o. H.No. 2/4, Vinn's Villa, 4th Cross, Vivekananda Nagar,
Bangalore.

..... APPELLANT

AND

- 1 The Commissioner of Survey, Settlements and Land Records,
A.P. Hyderabad.
- 2 The Joint Collector, R.R. District, Hyderabad.
- 3 The Mandal Revenue Officer, Semshabad Mandal, R.R. District.
- 4 T. Bal Reddy, S/o. not known, R/o. 738/SRT, Behind Police
Station,
Sanathnagar, Hyderabad.

.....RESPONDENT(S)

Counsel for the Appellant: MR.S.V.MUNI REDDY

Counsel for the Respondent No.1 to 3: GP FOR REVENUE

Counsel for the Respondent No.4: Mr. V.Tulasi Reddy

The Court made the following :

JUDGMENT: (Per Hon'ble Sri Justice B.Sudershan Reddy)

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We find no legal infirmity in the order passed by the learned single Judge in dismissing the writ petition filed by the appellant herein.

The learned counsel for the appellant, Sri S.V.Muni Reddy however, contends that the dispute involved requiring resolution is with reference to the title and possession of immovable property which can be satisfactorily resolved in a properly constituted common law remedy and therefore, the counsel prays the Court to grant leave to file civil suit. There cannot be any valid objection to grant leave to the appellant to get her claim adjudicated in a properly constituted civil suit if she is so advised, in which event, the matter shall have to be decided on its own merits.

The Writ Appeal is accordingly dismissed. No order as to costs.

(B.SUDERSHAN REDDY,J.)

27th July, 2004

(K.C.BHANU,J.)

Bcj/msv

To

- 1 The Commissioner of Survey, Settlements and Land Records,
A.P. Hyderabad.
- 2 The Joint Collector, R.R.District, Hyderabad.
- 3 The Mandal Revenue Officer, Semshabad Mandal, R.R. District.
- 4 T. Bal Reddy, S/o. not known, R/o. 738/SRT, Behind Police
Station,
Sanathnagar, Hyderabad.
- 5 Two C.Cs. to the Government Pleader for Revenue, High Court
Buildings, Hyderabad (OUT)
- 6 Two C.D. copies